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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/928,074	09/11/1997	FREDERICK FISH	07256-024001	9183

7590 12/04/2001  
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SAN DIEGO, CA 92121

EXAMINER

HAYES, ROBERT CLINTON

ART UNIT	PAPER NUMBER
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1647

DATE MAILED: 12/04/2001

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
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08/928,074					

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1647	21

DATE MAILED:

Please find below a communication from the **EXAMINER** in charge of this application  
Commissioner of Patents

The reply filed on 5/14/01 (paper #20) is not fully responsive to the prior Office actions of 7/18/00 (paper #14) and 2/12/01 (paper #19) and the new AIPA rules under 37 CFR 1.121(a) and (b) on the proper procedure for submitting amendments to the specification or the claims after March 1, 2001. For example, **replacement paragraphs/claims** are now required under 37 CFR 1.121(a) or (b), along with "**marked up**" versions of the prior pending paragraph/claim illustrating all changes relative to the prior paragraph/claims. In addition, any amendments to the claims must be correctly illustrated from what is now pending (i.e., from amdt D, paper #16, filed 11/18/00), versus that proposed in amdt E (paper #20). Note that amending page 11 to eliminate SEQ ID NO:25 would also require a new paper copy of the SEQUENCE LISTING and a new CRF, as well as the appropriate statements that the content of the paper copy and CRF are the same and do not constitute new matter (e.g., see paper # 10), in order to avoid abandonment of this application (see paper #s 10, 12 & 19). Finally, note that the amendment of 5/14/01 (amdt E, paper #20) has not been entered because of the non-compliance with the new AIPA Rules.

Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **NO EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a)**, because the six months for extensions from 7/18/01 (paper #14) will expire on 11/18/01.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Robert Hayes (Art Unit 1647) whose telephone number is (703) 305-3132.

The examiner can normally be reached on Monday through Thursday, and alternate Fridays from 8:30 AM to 5:00 PM.

Robert C. Hayes, Ph.D.  
November 13, 2001

GARY L. KUNZ  
SUPERVISORY PATENT EXAMINER  
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